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# REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. § 132, effective on May 29, 2000,  
provides for continued examination of an utility or plant application  
filed on or after June 8, 1995.

See The American Inventors Protection Act of 1999 (AIPA).

Express Mail No.	EL 500 575 856 US
Application Number	09/181,122
Filing Date	September 25, 1998
First Named Inventor	JIN, H.
Group Art Unit	1842
Examiner Name	Brumback, B.
Attorney Docket Number	7682-045-999

This is a Request for Continued Examination (RCE) under 37 C.F.R. § 1.114 of the above-identified application.

**NOTE:** 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. § 1.53 (d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 2000), which established RCE practice.

## 1. Submission required under 37 C.F.R. § 1.114

### a. ☐ Previously submitted

- i. ☐ Consider the amendment(s)/reply under 37 C.F.R. § 1.116 previously filed on \_\_\_\_  
(Any unentered amendment(s) referred to above will be entered).
- ii. ☐ Consider the arguments in the Appeal Brief or Reply Brief previously filed on \_\_\_\_
- iii. ☐ Other \_\_\_\_

### b. ☒ Enclosed

- i. ☒ Amendment/Reply
- ii. ☐ Affidavit(s)/Declaration(s)
- iii. ☐ Information Disclosure Statement (IDS)
- iv. ☒ Other Petition for Extension of Time for 4 months; Petition to Accept Unintentionally Delayed Claim for Priority under 37 C.F.R. 1.78(a)(3); Request to Correct Inventorship under 37 C.F.R. 1.48(a); Submission of Substitute Sequence Listing; Submission of Formal Drawings

## 2. Miscellaneous

- a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of \_\_\_\_ months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F.R. § 1.17(i) required)
- b. ☐ Other \_\_\_\_

## 3. Fees

The RCE fee under 37 C.F.R. § 1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed

- a. ☒ The Director is hereby authorized to charge the following fees, or credit any overpayments, to Pennie & Edmonds LLP Deposit Account No. 16-1150:
  - i. ☒ RCE fee required under 37 C.F.R. § 1.17(e), estimated to be \$ 740.00
  - ii. ☐ Extension of time fee required under 37 C.F.R. §§ 1.136 and 1.17, estimated to be \$ \_\_\_\_ for a \_\_\_\_ month extension, the request for which is being made herewith
  - iii. ☐ Other \_\_\_\_
- b. ☐ Check in the amount of \$ \_\_\_\_ enclosed
- c. ☐ Payment by credit card (Form PTO-2038 enclosed)

## SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	Laura A. Coruzzi by Jacqueline B.	Registration No. (Attorney/Agent)	30,742
Signature	Laura A. Coruzzi Reg. No. 30,742	Date	September 5, 2002

## CERTIFICATE OF MAILING OR TRANSMISSION

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner For Patents, Box RCE, Washington, DC 20231, or by facsimile transmitted to fax no. 1-703- to the U.S. Patent and Trademark Office on the date indicated below.

Name (Print/Type)		Registration No. (Attorney/Agent)	
Signature		Date	

Express Mail No.: EL 500 575 856 US

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

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Application of: JIN et al.

Application No.: 09/161,122

Group Art Unit: 1642

Filed: September 25, 1998

Examiner: Brumback, B.

For: RECOMBINANT RSV EXPRESSION  
SYSTEMS AND VACCINES

Attorney Docket No.: 7682-045-999

**AMENDMENT UNDER 37 C.F.R. §1.116**

Assistant Commissioner for Patents  
Box AF  
Washington, D.C. 20231

Sir:

In response to the outstanding Final Office Action mailed February 6, 2001, and in accordance with 37 C.F.R. §1.116, please enter the amendments and consider the remarks below intended to put the claims into condition for allowance. Applicants submit concurrently herewith: (1) Petition to Accept Unintentionally Delayed Claim for Priority under 37 C.F.R. § 1.78(a)(3) accompanied by the appropriate fee (in duplicate); (2) a Request to Correct Inventorship Under 37 C.F.R. § 1.48(a) accompanied by the appropriate fee (in duplicate); (3) Statements by Inventors to Be Added Pursuant To 37 C.F.R. § 1.48(a)(2); (4) a Consent by Assignee for Correction of Inventorship Pursuant to 37 C.F.R. § 1.48(a)(5) with Exhibit 1; (5) a Declaration for Non-Provisional Patent Application executed by Hong Jin, Roderick Tang, Shengiang Li, Martin Bryant, David Kirkwood Clarke and Peter Palese; (6) a Sequence Listing in paper and computer-readable form; (7) a Statement under 37 C.F.R. § 1.825 affirming that the Substitute Sequence Listing and the computer-readable copy thereof are the same and do not include new matter; (8) Petition for Extension of Time under 37 C.F.R. 1.136(a) for 4 months accompanied by the appropriate fee (in duplicate); (9) Exhibit